

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)**

COLOMBOBANK, FSB,

*

Appellant,

*

v.

*

Civil No. WDQ-02-4010

CHARLES R. GOLDSTEIN, Trustee
of the Estate of Maryland Property
Associates, Inc., et al.,

*

*

Appellee.

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**MOTION FOR REHEARING ON ORDER
REVERSING JUDGMENT OF THE BANKRUPTCY COURT**

Charles R. Goldstein, Trustee (the "Trustee"), by and through his undersigned counsel, respectfully files this Motion for Rehearing on Order Reversing Judgment of the Bankruptcy Court (the "Motion") pursuant to Fed. R. Bankr. P. 8015, and relies upon the Memorandum in Support of the Motion, filed contemporaneously herewith, in order to correct a mistake of fact and misapplication of law resulting from that mistake of fact.

WHEREFORE, the Trustee respectfully requests that this Court enter an order (i) granting the Motion, (ii) vacating the July 16, 2003 Order and affirming the decision of the Bankruptcy Court as it applies to the transfers

described in the accompanying Memorandum, and (iii) granting the Trustee such other relief as is just and proper.

Dated: July 28, 2003.

/s/ Charles M. Campisi
John A. Roberts
Federal Bar No. 4969
Charles M. Campisi
Federal Bar No. 24119
Venable, Baetjer and Howard, LLP
1800 Mercantile Bank and Trust Bldg.
Two Hopkins Plaza
Baltimore, Maryland 21201
(410) 244-7400

Counsel for Charles R. Goldstein,
Trustee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of July, 2003, a copy of the Motion for Rehearing re Order Reversing the Bankruptcy Court by Charles R. Goldstein, Trustee was served via electronic mail and the ECF system on Nelson Deckelbaum, Esquire and Stephen Nichols, Esquire, Deckelbaum, Ogens & Raftery, 3 Bethesda Metro Center, Suite 200, Bethesda, Maryland 20814.

/s/ Charles M. Campisi
Charles M. Campisi

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**ORDER GRANTING MOTION FOR REHEARING ON ORDER
REVERSING JUDGMENT OF THE BANKRUPTCY COURT**

Upon consideration of the Motion for Rehearing on Order Reversing the Bankruptcy Court filed by Charles R. Goldstein, Trustee (the "Motion"), and any opposition thereto, this Court finding that the transfers made from the debtor Maryland Property Associates, Inc. to the defendant, ColomboBank, FSB, in payment of certain "share loans," as described in the Motion, are avoidable and recoverable by the Trustee, it is this _____ day of _____, 2003, by the United States District Court for the District of Maryland,

ORDERED, that the Motion is Granted; and it is further;

ORDERED, that this Court's Memorandum Opinion and Order dated July 16, 2003 is vacated as it pertains to the share loan payments; and it is further;

ORDERED, that the Bankruptcy Court's Order and Judgment is
Reinstated as it pertains to the share loan payments.

WILLIAM D. QUARLES, JR.
United States District Judge

cc: John A. Roberts, Esquire
Charles M. Campisi, Esquire
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